

<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/353,683	
	Filing Date	July 15, 2003	
	First Named Inventor	Sam Reichgott	
	Art Unit	2611	
	Examiner Name	TRAN, Hal V.	
Total Number of Pages in This Submission	2	Attorney Docket Number	80113-0040

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks <div style="position: absolute; right: 0; top: 0; transform: rotate(90deg); transform-origin: right top; font-size: small;">           OFFICE OF TRIANGLE            REFUND BRANCH            203 DEC -9 AM 11:31            US PATENT &amp; TRADEMARK            OFFICE         </div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Steven L. Nichols (Reg. No.: 40,326)
Signature	
Date	December 2, 2003

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Typed or printed name	Brian J. Riddle
Signature	<div style="float: right; text-align: right;">           Date December 2, 2003         </div>

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT MAINTENANCE  
DIVISION

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application: Sam Reichgott et al.

Application No.: 09/353,583

Filed: July 15, 1999

For: "Method and Apparatus for Preventing  
Disruptions in Set-Top Terminal Function  
Due to the Downloading of Updated  
Programming or Data to the Set-Top  
Terminal"

Group Art Unit: 2611

Examiner: TRAN, Hai V.

#25 / Reg For  
refund  
12-16-03

**COMMISSIONER FOR PATENTS**

Mail Stop 16  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REFUND REQUEST**  
**Improper Charge of Deposit Account**

Sir:

**I. REFUND REQUEST**

This request for refund is made within three months of the date a fee was paid in this application on September 5, 2003, in the amount of \$ 320.00.

**II. FEES PAID FOR WHICH REFUND REQUESTED**

**AMOUNT OF REFUND  
REQUESTED**

Filing a brief in support of an appeal

\$ 320.00

**REFUND REQUESTED**

\$ 320.00

Adjusted date: 12/16/2003 EEKUPAY1  
09/10/2003 AWONDAF1 00006064 180013 09353583  
01 FC:1402 320.00 CR

**III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

An Appeal Brief was filed on March 17, 2003. A Fee Transmittal for FY 2003 (form PRO/SB/17) was included in this filing indication that the deposit account of 18-0013 was to be charged \$ 320.00 for

the filing of this appeal brief.

Again on September 5, 2003, a Supplemental Appeal Brief was filed and a Fee Transmittal for FY 2003 (form PRO/SB/17) was included in this filing indication that the deposit account of 18-0013 was to be charged \$ 320.00 for the filing of this Supplemental Appeal Brief. This second Fee Transmittal form was submitted in error, and the client is requesting a refund of this second charge of \$ 320.00.

#### IV. MANNER OF REFUND

Please make refund by crediting Account No. 18-0013 / 80113-0040.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents,  
Mail Stop 16  
P.O. Box 1450  
Alexandria, VA 22313-1450.

Date of Deposit: December 2, 2003

Typed Name: Brian J. Riddle

Signature: B. J. Riddle

Respectfully submitted,

By:



**Steven L. Nichols**  
Attorney/Agent for Applicant(s)  
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Date: December 2, 2003  
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